Claims 1, 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over KR 93-17678 in view of KR 1994-0002526.

Kr 93-17678 discloses a method for preparing dried alpha-rice. The method comprises the (a) washing milled rice to remove impurities adhered to the surface of the milled rice; (b) soaking the washed rice in water for 2-4 hours to evenly absorb water, followed by dehydrating it in air for 30 minutes to 2 hours; (c) pouring the dehydrated rice into boiling water of 98-100 °C, followed by heating the same to maintain the water temperature of 98-100 °C for 10-15 minutes; (d) quickly cooling the boiled rice by showering cool water; and (e) placing the rice in a vacuum drying chamber while maintaining the internal temperature at 80-90°C, and vacuum drying at an internal pressure of 1 torr or lower to maintain water content of the rice at 1-8wt% .

Kr 93-17678 discloses a method substantially as claimed. Kr 93-17678 does not disclose washing in a cooling tank, the continuous rice cooker and the dehydration time as in claim 2.

Kr 1994-0002526 discloses a method of preparing dried boil rice. The patent teaches washing the rice after cooling the rice.

It would have been obvious to one skilled in the art to wash the boiled rice after cooling to remove any starch or sticky layer present on the rice after cooking. Such washing step is known in the art as shown by Kr 1994-0002526. It would have been obvious to use any known cooker to carry out the cooking step; this can readily be determined by one skilled in the art. It would have been obvious to vary the time of dehydrating and soaking depending on the degree of dryness and water absorption

desired. As to the alpha-starch content, it is obvious the starch content in Kr 93-17678 is the same as claimed because the cooking time and temperature are within the range as claimed.

In the response filed 12/15/08, applicant argues the claimed method requires a shorter soaking time and thus the quality of the prepared rice is improved as shown in tables 2 and 4 of the specification. This argument is not persuasive. The soaking time of rice can vary depending on the degree of water absorption wanted. For example, the instant specification discloses the time can be as long as 2 hours which is the same end point as in Kr93. It is shown in Kr1994 that the soaking time for rice can be from 1-2 hours. It would have been within the skill of one in the art to determine the soaking time to obtain the most optimum product. Such determination is routine and would not require undue experimentation. The results shown in the specification are not conclusive to a difference in soaking time because there are other differences between the samples and the comparative samples. For instance, the hot water treatment temperatures and times are different between the comparative samples and the samples. The comparative samples are not treated with cooling water and the vacuum drying temperatures are also different between the samples and comparative samples. To show that the soaking time gives an unexpected result, every parameter must be the same except for the soaking time. Applicant states the Kr1994 reference does not disclose the time of the first soaking; the examiner disagrees because it discloses for 1-2 hours. Applicant further argues Kr1994 does not disclose the claimed drying type; this reference is not relied upon for the teaching of the drying device because Kr 93 already

teaches drying in a vacuum drying chamber. Applicant argues the rejection is based on hindsight with respect to the soaking and dehydrating time. The examiner disagrees. Even without knowing any advantage obtained from shorter soaking time and dehydrating time, variation in such processing parameters would have been within the skill of one in the art depending on what final result is wanted. For example, if it is desired that the rice grains absorb a lot of water so that they are soft, it would have been obvious to soak the rice longer. If the opposite is wanted, it would have been obvious to use short soaking time. It would also have been obvious to use any variation in between the two extremes. This parameter is a result-effective variable which can readily be determined by one skilled in the art through experimentation with various soaking time to obtain the time that gives the most desirable result. The same is true with the determination of the dehydrating time. A 103 rejection must also take into consideration the level of skill of one in the art.

Applicant's arguments filed 12/15/08 have been fully considered but they are not persuasive.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lien T. Tran whose telephone number is 571-272-1408. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks, can be reached on 571-272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 26, 2009

/Lien T Tran/

Primary Examiner, Art Unit 1794

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